

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**NOTICE OF SEALED FILINGS**

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, and E.D.Va. Local Civil Rule 5(C), Plaintiffs have filed under seal documents and information in support of their motion for summary judgment and their motions to preclude certain expert testimony by Dr. Kevin C. Almeroth, W. Christopher Bakewell, Dr. Nick Feamster, Christian Tregillis, and Dr. Lynn Weber. (ECF Nos. 285, 287, 289, 291, 293, 325). The specific documents are identified below.

*Summary Judgment Filings*

- Exhibits 1-8, 12, 14-31, 33-35, 37, 39-43, 45, 47, 49-66, and 68-71 of the Declaration of Jeffrey Gould in Support of Plaintiffs' Motion for Summary Judgment (filed on a hard drive), and portions of the declaration and memorandum that cite to, discuss, or disclose Plaintiffs' confidential information contained therein;
- Declarations of Jeremy Blietz, David Kokakis, Wade Leak, Alasdair McMullan, Anish Patel, and Steven Poltorak (attached to ECF No. 325), including exhibits, filed in support of Plaintiffs' Motion for Summary Judgment;
- Certain portions of the Declarations of Sam Bahun, Barbara Frederiksen-Cross, William H. Lehr, and George P. McCabe (attached to ECF No. 325) in Support of Plaintiffs' Motion for Summary Judgment, which constitute or disclose Plaintiffs' or MarkMonitor's or Audible Magic's highly-confidential or confidential information, and portions of the memorandum that disclose or discuss Plaintiffs' confidential information contained therein;

*Daubert Filings*

- Exhibits 1 and 6 to the Declaration of Jeffrey Gould filed in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by Dr. Kevin C. Almeroth (ECF No. 295), and portions of the memorandum that cite to information designated by Cox under the protective order;
- Exhibit 1 to the Declaration of Jeffrey Gould filed in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by W. Christopher Bakewell (ECF No. 296), and portions of the memorandum that cite to information designated by Cox under the protective order;
- Exhibits 1-6 to the Declaration of Jeffrey Gould filed in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by Dr. Nick Feamster (ECF No. 297), and portions of the declaration and memorandum that cite to, discuss, or disclose Plaintiffs' confidential information contained therein;
- Exhibits 1-4 to the Declaration of Jeffrey Gould filed in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by Christian Tregillis (ECF No. 287), and portions of the declaration and memorandum that cite to, discuss, or disclose Plaintiffs' confidential information contained therein;
- Exhibits 1 and 6 to the Declaration of Jeffrey Gould filed in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by Dr. Lynne Weber (ECF No. 299), and portions of the memorandum that cite to information designated by Cox under the protective order.

**NOTICE OF RIGHT TO RESPOND:** Pursuant to Local Civil Rule 5(C), parties and nonparties may submit memoranda in support of or in opposition to the motion within seven (7) days after the filing of the motion to seal, and that they may designate all or part of such memoranda as confidential.

Respectfully Submitted,

Dated August 30, 2019

/s/ Scott A. Zebrak  
Scott A. Zebrak (38729)  
Matthew J. Oppenheim (*pro hac vice*)  
Jeffrey M. Gould (*pro hac vice*)  
OPPENHEIM + ZEBRAK, LLP  
4530 Wisconsin Avenue, NW, 5th Floor  
Washington, DC 20015  
Tel: 202-480-2999  
[scott@oandzlaw.com](mailto:scott@oandzlaw.com)  
[matt@oandzlaw.com](mailto:matt@oandzlaw.com)  
[jeff@oandzlaw.com](mailto:jeff@oandzlaw.com)

*Attorneys for Plaintiffs*